

Message Text

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C O N F I D E N T I A L ROME 6737

E.O. 11652: GDS

TAGS: PINT, PINS, IT

SUBJECT: PUBLIC ORDER LAW VOTED BY HOUSE

SUMMARY: THE CHAMBER APPROVED MAY 8, OVER THE DISSENTING FINAL VOTES ONLY OF THE PCI AND A FEW DEPUTIES WHO BROKE PARTY DISCIPLINE, THE GOVERNMENT ANTI-CRIME, ANTI-SUBVERSION LEGISLATIVE PACKAGE WHICH HAS BEEN AT THE CENTER OF DIVISIVE POLEMICS FOR SOME MONTHS. THOUGH FINALLY

PASSED BY A WIDE MARGIN, 322-187 WITH 2 ABSENTIONS, THE PCI'S DISSENT

AND THE RESERVATIONS OF THE SOCIALISTS WHICH PERSISTED TO THE END, INSURE THAT THE LAW AND ORDER ISSUE WILL REMAIN A MAJOR ISSUE IN THE REGIONAL ELECTION CAMPAIGN. SENATE APPROVAL MAY NOW BE POSSIBLE BEFORE

PARLIAMENT RECESSES FOR THE ELECTORAL CAMPAIGN, ALTHOUGH THE SOCIALISTS

HAVE ANNOUNCED THAT THEY WILL SEEK FURTHER CHANGES IN THE BILL. END SUMMARY.

1. FOLLOWING A PROLONGED, TENSE, AND AT TIMES CONFUSED, SESSION OF THE CHAMBER, THE GOVERNMENT'S LEGISLATIVE ANTI-CRIME, ANTI-SUBVERSION PACKAGE WAS APPROVED, 322-187 WITH TWO ABSENTIONS. ONLY THE COMMUNISTS VOTED AGAINST IN THE END, DESPITE THE FACT THAT NUMEROUS
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MINOR CHANGES PROPOSED BY THEM HAD BEEN ACCEPTED. PASSAGE BY THE

SENATE BEFORE THE MAY 22 PARLIAMENTARY RECESS FOR THE ELECTION CAMPAIGN MAY NOW BE POSSIBLE. HOWEVER, THE PSI HAS ALREADY ANNOUNCED THAT THEY WILL SEEK TO AMEND THE REALE BILL IN THE SENATE. SENATE AMENDMENT WOULD FORCE A SECOND HEARING OF THE BILL IN THE CHAMBER OF DEPUTIES AND RENDER PASSAGE BEFORE MAY 22 HIGHLY PROBLEMATICAL.

2. THOUGH COSMETICALLY AMENDED UP TO THE LAST MOMENT, PRIMARILY TO HELP THE SOCIALISTS OVERCOME STRONG OPPOSITION WITHIN THEIR OWN RANKS TO

SEVERAL ARTICLES, THE GOVERNMENT'S LABORIOUSLY WORKED OUT PACKAGE EMERGED LARGELY INTACT. THE LAW GENERALLY STRENGTHENS THE HAND OF THE POLICE IN PREVENTING AND REPRESSING STREET VIOLENCE. THOSE DEMONSTRATING WITH HELMETS AND MASKS WILL NOW BE SUBJECT TO ARREST, SUSPICIOUS PERSONS IN THE VICINITY OF HIGH RISK TARGETS OF VIOLENCE MAY NOW BE SEARCHED IF TIME DOES NOT PERMIT AUTHORIZATION BY A MAGISTRATE, AND PERSONS ARRESTED FOR USING WEAPONS AGAINST THE POLICE WILL BE PROSECUTED EXPEDITIOUSLY.

THE LAW ALSO DENIES THE GRANTING OF PROVISIONAL LIBERTY FOR A SPECIFIC LIST OF SERIOUS, VIOLENT CRIMES, AND EFFECTIVELY LENGTHENS THE TIME BEFORE IT CAN BE APPLIED TO OTHERS. EXISTING ANTI-MAFIA MEASURES ARE EXTENDED TO SPECIFIED CRIMES OF VIOLENCE AND SUBVERSION, INCLUDING KIDNAPPING. SANCTIONS AGAINST NEO-FASCISM, INCLUDING USE OF FASCIST WORDS, GESTURES, AND EVEN VERBAL DEFENSE OF FASCISM, ARE ESTABLISHED OR SEVERELY INCREASED. THE LAW ALSO GIVES THE POLICE MORE PRECISE GUIDELINES PERMITTING USE OF THEIR WEAPONS, AND MORE PROTECTION AGAINST CHARGES OF UNJUSTIFIED USE OF FORCE.

3. DESPITE THE EXPLICIT ANTI-FASCIST CAST GIVEN TO THE LAW AT THE LAST MINUTE BY THE GOVERNMENT TO HELP SOCIALIST SECRETARY DEMARTINO OVERCOME STRONG MINORITY OPPOSITION WITHIN HIS PARTY, THE MSI VOTED FOR THE MEASURE. MORO'S STATEMENT, READ IN THE DEBATE, DENOUNCED THE MSI'S MOVE AS PROVACATORY. THOUGH THEIR AFFIRMATIVE VOTE ON THE LAW AS A WHOLE WAS UNNECESSARY FOR PASSAGE, MSI VOTES (AS WELL AS THOSE OF THE PLI) WERE DETERMINING ON AT LEAST ONE OF SEVERAL CONTROVERSIAL ARTICLES WHICH WERE PASSED AGAINST THE COMBINED OPPOSITION OF THE PSI AND THE PCI. AS A RESULT THE CENTER-LEFT MAJORITY EMERGED FROM THE FRAY IN EVEN MORE DISARRARY THAN IT ENTERED.

4. COMMENT: THE REAL PROBLEM FOR THE PSI THROUGHOUT THE DEBATE WAS CONFIDENTIAL

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THE LACERATING DIVISION WITHIN ITS OWN RANKS OVER THE ARTICLES WHICH GIVE THE POLICE MORE POWER TO PREVENT AND REPRESS STREET VIOLENCE, AND MORE PROTECTION AGAINST PROSECUTION FOR ALLEGED MISUSE OF ARMS. THE PU MINORITY (MANCINIANI AND LEFT-WING LOMBARDIANI) FOUGHT WITHIN THEIR PARTY THE CAUSE OF THE EXTRA-PARLIAMENTARY LEFT, WHO SEE THEMSELVES ESPECIALLY THREATENED BY THESE MEASURES AND ORGANIZED DEMONSTRATIONS AGAINST THEM. THE PROLONGED STRUGGLE IN THE NAME OF CIVIL LIBERTIES TO WHICH THE PSI MINORITY COMMITTED

ITS PARTY PROBABLY HURT THE PSI ELECTORALLY. THE PARTY'S CREDIBILITY WITH THE MIDDLE CLASS VOTE, MOST CONCERNED ABOUT STREET VIOLENCE, WAS DAMAGED. THE PSI'S FINAL TORTUROUS ASSENT TO THE LAW DISAPPOINTS THE EXTREME LEFT AND RADICAL "CIVIL RIGHTS"

VOTE. THE PCI, ALTHOUGH DISCOMFITED, HANDLED THE SAME DILEMMA WITH MORE FINESSE. IN PAST WEEKS IT HAS MAINTAINED A STANCE OF CONSTRUCTIVE OPENNESS, PROPOSING AMENDMENTS, EVEN DENOUNCING EGREGIOUS VIOLENCE BY THE EXTRA-PARLIAMENTARY LEFT. IN A PARLIAMENT, IT SIDED WITH THE LATTER AND THE PSI ON THE CONTROVERSIAL ARTICLES -- AND THEN VOTED AGAINST THE LAW AS A WHOLE, WHILE CLAIMING CREDIT FOR IMPROVING IT.

5.PASSAGE IN THE CHAMBER OF DEPUTIES OF THE REALE LAW AND ORDER BILL HAS AVOIDED A CRISIS OF THE CENTER-LEFT MAJORITY, BUT WILL NOT REMOVE THE LAW AND ORDER ISSUE AS A MAJOR CAMPAIGN THEME. NOR WILL THE PROCLAIMED "ANTI-FASCIST" ORIENTATION OF THE LAW AND END ONGOING POLEMICS FROM LEFT AND RIGHT ON THE PREDOMINATE "COLOR" OF POLITICAL VIOLENCE. VOLPE

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